DOCUMENT RESUME

ED 296 678 HE 021 581

AUTHOR Williams, Joan M.; Hodinko, Bernard A.
TITLE Compliance of Postsecondary Institutions with Provisions for Disabled Students Mandated by the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973.
PUB DATE [88]
NOTE 21p.
PUB TYPE Reports - Research/Technical (143)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Accessibility (for Disabled); Architecture; *College Buildings; College Students; *Compliance (Legal); *Disabilities; Federal Legislation; Higher Education; *Physical Mobility; Student Personnel Workers
IDENTIFIERS *Architectural Barriers Act 1968; *Rehabilitation Act 1973 (Section 504)

ABSTRACT

Perceptions were obtained from 480 college student services officers concerning compliance of their employing institutions with selected provisions of the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 (specifically Section 504). The survey instrument presented a statement from each of 24 provisions of the two Acts. Significant differences in the extent of compliance by two-year and four-year institutions with selected provisions of both Acts were found. For both two-year and four-year colleges, the three provisions in the top four that had the greatest compliance were "ramps or curb ramps in pedestrian areas," "accessibility planned in future construction," and "route of entrance to each building." The provision of "accessible building main entrance to each floor" and "ratio of parking spaces" ranked fourth for two-year and four-year institutions, respectively. Both two-year and four-year colleges were in least compliance with the same four provisions of the Architectural Barriers Act of 1968: "elevators with special features," "appropriate alarm systems," "doors with tactile surface warnings," and "ratio of public telephones." It is suggested that governmental monetary aid would promote fuller compliance by institutions. (SW)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED296678

COMPLIANCE OF POSTSECONDARY INSTITUTIONS WITH PROVISIONS FOR DISABLED STUDENTS MANDATED BY THE ARCHITECTURAL BARRIERS ACT OF 1968 AND THE REHABILITATION ACT OF 1973

by

JOAN M. WILLIAMS

Fairfax County, Virginia

and

BERNARD A. HODINKO

The American University

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

BERNARD HODINKO

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

AUTHORS

JOAN M. WILLIAMS, Special Education Diagnostician, Fairfax County Public School System, Virginia

BERNARD A. HODINKO, Professor of Higher Education, The American University, Washington, DC

BEST COPY AVAILABLE

HE 021 581

ABSTRACT

This study examined two-year and four-year post-secondary institutional compliance with selected provisions of the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 from questionnaires mailed to 644 student services officers at two-year and four-year accredited colleges and universities in the continental United States. A total of 480 (74.53 percent) usable questionnaires were returned. Significant differences in the extent of compliance by two-year and four-year institutions with selected provisions of both Acts were determined. Governmental action in the form of monetary assistance would appear necessary for institutions to achieve fuller compliance.

Throughout American history, equal opportunities for a college education have been difficult for some individuals to obtain because of race, economic status, and sex. The turbulence of the 1960s led to demands by minorities, the poor, and women for equal opportunities in education. Rosen (1973) states that these interest groups were perceived as people who did not "belong in an 'academic' environment because of various deficiencies"--that were considered inherent (p. 1). Their demands subsequently resulted in the enactment of Titles IV of the Civil Rights Act of 1964, IV of the Higher Education Act of 1965, and IX of the Education Amendments Act of 1972. Such pieces of legislation established rights to equal postsecondary educational opportunities for minorities, the poor, and women, respectively. They recognized that all individuals in the United States of America did not have equal opportunities in higher education (U.S. Congressional Statutes of 1964, 1965, 1972).

Once Congress enacted legislation to require equal opportunities for higher education for America's minorities, poor, and women, it became apparent that its disabled, also, needed similar guarantees. According to Stilwell and Schulker (1973), this legislation became necessary, not because disabled students lacked the desire to attend colleges and universities, but rather because their "problems and needs were simply overlooked" (p. 419).

It was not until the late 1960s when the returning Vietnam veterans, many of whom were disabled, began entering institutions of higher learning that colleges and universities

made more than casual attempts to provide educational opportunities for the disabled (Stilwell & Schulker, 1973). The disabled veterans increased the population of disabled college students coming to the campus with various motor, auditory, visual, and neurological handicaps. They made the disabled student population more visible.

Several institutions of higher learning took individual initiatives in responding to the needs of their disabled students. In the late 1960s, these focused on architectural changes or modifications to reduce or eliminate structural barriers to the disabled. Hofstra University (Long Island, New York), University of Missouri (Columbus, Missouri), Kansas State Teachers College (Emporia, Kansas), University of Illinois (Urbana, Illinois), and Wayne State University (Detroit, Michigan), among others, were leaders in making such modifications for their disabled students because they believed:

> . . . that if a handicapped young man or woman can live and work independently and secure an education at college without strain, he or she will use it to become a functioning, useful person afterwards. . . . (Arthur, 1967, pp. 90-92)

Soon the individualized and voluntary efforts at a few schools in making campuses accessible to the handicapped became mandated requirements for all colleges and universities. Local, state, and national human rights movements made society aware of its neglect of handicapped individuals and their rights. Federal legislation was enacted to equalize college opportunities between disabled and nondisabled students.

The Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 were major pieces of federal legislation designed to ensure equal opportunities for disabled college students. The Architectural Barriers Act of 12 August 1968, requires buildings and facilities built with any type of federal financing be designed, constructed, or altered so as to be fully accessible and usable for all disabled persons (U.S. Department of HEW, 1968). The Rehabilitation Act of 1973, specifically Section 504, requires that institutions of higher learning remove any obstacles that prevent the disabled student from fully participating in educational programs and services. This Act became law on September 26, 1973 (U.S. Department of HEW, 1975). It has been called a "bill of rights for the handicapped" (Woodward, 1977, p. 38).

Since the enactment of the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973, colleges and universities, two-year and four-year alike, have been trying to comply with these laws. College officials all over the country have established committees to study how facilities and services can be modified to serve their present and future students, both the disabled and nondisabled students, and comply with federal guidelines to the two Acts. This study assessed their progress toward compliance to selected mandates of these Acts. Specifically, it determined the extent of compliance of accredited two-year and four-year postsecondary institutions, as perceived by their student services officers, with the provisions for disabled students mandated by the

Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 that follow:

The Architectural Barriers Act of 1968

1. A minimum of one route for disabled students leads to at least one entrance to each building.

2. A 1 to 25 or better ratio is established for campus parking spaces for disabled and nondisabled students.

3. Ramps or curb ramps are available where there are abrupt levels or grade changes in campus pedestrian traffic areas.

4. Stairs with uniform height risers and tread widths connect floor levels that are not connected by elevators.

5. At least one elevator is in each multi-story building and facility with special features like audible indicators and tactile control panels.

6. A minimum of one door is accessible to disabled students at each building or facility entrance.

7. A minimum of one main entrance at each grade floor level is accessible to disabled students at each building or facility.

8. Each common and public restroom and bathing facility is accessible to disabled students.

9. If provided, dispersed drinking fountains and/or water coolers are at accessible levels to disabled students throughout the buildings and facilities.

10. Controls and operating mechanisms are in accessi- routes and spaces to disabled students.

11. Appropriate alarm systems are provided on campus for disabled students.

12. Tactile surface warnings for disabled students are on doors which lead to emergency exits or other nonhazardous areas.

13. A 1 to 1 or better ratio of public telephones is established for disabled and nondisabled students, with appropriate adaptations.

14. If and when appropriate, tables, seating places, and work surfaces are adapted to meet the needs of the disabled students.

15. Assembly and conference rooms have accessible areas provided to disabled students where viewing and hearing would be enhanced.

16. Plans for new construction provide for full accessibility to disabled students.

The Rehabilitation Act of 1973

1. No limitations are placed upon the number or proportion of disabled students admitted to postsecondary institutions.

2. Admissions tests or other criteria are free of any adverse effects on disabled students.

3. Disabled students are free to participate in any campus program or activity.

4. Academic adjustments take place as needed to ensure that academic requirements are not perceived as nondiscriminatory towards disabled students.

5. Comparable recruitment activities are directed towards the disabled college student.

6. If made available to nondisabled students, comparable, convenient, and accessible college housing is provided to disabled students.

7. Financial aid and employment assistance given to disabled students is comparable to that of nondisabled students.

8. Nonacademic activities provided to the disabled student are comparable to those provided to the nondisabled student.

The methodology of this study followed that of descriptive research. A mail survey was conducted among student services officers at a randomly drawn sample of two-year and four-year accredited colleges and universities within the continental United States. A questionnaire was designed to

obtain data regarding student services officers' perceptions of compliance of their employing institutions with selected provisions of the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 (specifically Section 504). The instrument used to collect these data was a four-page self-administered questionnaire entitled, "Inventory of Institutional Compliance to the Federal Mandates for the Handicapped Student" (IICFMHS). This instrument was developed by the researchers for this study. It presented a statement of each of twenty-four provisions of the two Acts. Respondents were instructed to express their perceptions to each by selecting one of five response alternatives; namely, "noncompliance," "planned compliance," "partial compliance," "approaching full compliance," and "full compliance." In addition, it elicited five items of demographic information.

The study sample consisted of 644 student services officers at accredited two-year and four-year postsecondary institutions. Of these respondents, 483 (75.00 percent) returned questionnaires for this study. Four hundred eighty (74.53 percent) of the questionnaires were considered usable. The majority of respondents carried the title Dean of Students, held a masters degree, and had over ten years of work experience in their present positions. All but eighteen respondents reported being somewhat familiar, familiar, or very familiar with the Architectural Barriers Act of 1968. Nineteen respondents reported they were not familiar with the Rehabilitation Act of 1973. Statistical treatment of the data obtained

through the study instrument entailed computation of means and *t* tests.

STUDY RESULTS

Architectural Barriers Act of 1968

Table 1 reports compliance by two-year and four-year institutions with the Architectural Barriers Act of 1968, as perceived by student services officers employed therein. As shown, the weighted mean for each provision, as determined by the responses from student services officers at two-year colleges exceeds that determined by the responses of student services officers at four-year institutions. Three provisions in the top four for both two-year and four-year institutions as having the greatest compliance were "ramps or curb ramps in pedestrian areas," "accessibility planned in future construction," and "route of entrance to each building." The provisions of "accessible building main entrance to each floor" and "ratio of parking spaces" ranked fourth for two-year and four-year institutions, respectively.

(INSERT TABLE 1)

Both two-year and four-year institutions were in least compliance with the same four provisions of the Architectural Barriers Act of 1968; namely, "elevators with special features," "appropriate alarm systems," "doors with tactile surface warnings," and "ratio of public telephones." The range of institutional compliance with these provisions was from "planned compliance" (M = 2.08) to "approaching full compliance" (M =

TABLE 1.--Weighted mean distribution of perceptions of student services officers at 201 two-year and 279 four-year institutions on the extent of compliance with selected provisions of the Architectural Barriers Act of 1968

Provision	Two-Year M[a]	Four-Year M[a]
Route of entrance to each building	4.61	3.89
Ratio of parking spaces	4.13	3.87
Ramps or curb ramps in pedestrian areas	4.72	4.07
Uniform stairs where absence of elevators	4.17	3.38
Elevators with special features	3.54	2.57
Accessible door to each building	4.47	3.58
Accessible building main entrance at each floor	4.49	3.73
Accessible restroom and bathroom facility	4.29	3.29
Accessible drinking fountains and coolers	4.01	3.08
Controls and operating mechanisms in accessible areas	4.07	3.25
Appropriate alarm systems	2.95	2.66
Doors with tactile surface warnings	2.73	2.08
Ratio of public telephones	3.24	2.49
Adaptations of tables, seating, and work surfaces	4.12	3.41
Accessible assembly and conference rooms	4.10	3.46
Accessibility planned in future construction	4.55	4.40
Overall Mean	4.00	3.31

[a]Mean is based on a response continuum of 1.00 = non-compliance, 2.00 = planned compliance, 3.00 = partial compliance, 4.00 = approaching full compliance, 5.00 = full compliance.

3.54). Differences between the means suggest a lower extent of compliance by four-year as compared with two-year institutions. These provisions were determined to be problem areas to disabled college students by Stilwell and Schulker (1973). From their survey of thirty-nine college presidents in the state of Kentucky, on the extent to which they felt their schools were complying with the mandates of the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 pertaining to disabled college students, they found that 28.2 percent of the schools had no elevators in classroom buildings and 53.8 percent had no braille writing near doors for the visually impaired to feel. Further, there were no low telephones in classroom buildings or anywhere on campus in fourteen of thirty-one schools. In their follow-up study, Stilwell, Stilwell, and Perritt (1983) determined that erratic progress had been made by colleges to correct these conditions. The need for further adaptations/modifications to eliminate these and other conditions that create problems for the disabled college student was identified. Three years later, at the time of this study, there is indication that the conditions have not been fully addressed.

A *t* test of independent samples was conducted between the combined mean scores for the selected provisions of the Architectural Barriers Act of 1968 for two-year and four-year institutions. As shown in Table 2, the *t* value (8.99) is considered to be significant at the .05 alpha level. Hence, these data indicate that, according to the perceptions of the

student services officers, there is a significant difference between two-year and four-year institutional compliance with the Architectural Barriers Act of 1968, with the former complying more fully.

(INSERT TABLE 2)

Rehabilitation Act of 1973

As shown in Table 3, the compliance of two-year and four-year institutions with seven of the eight provisions of the Rehabilitation Act of 1973 considered in this study was found to be "approaching full compliance" (4.00) to "full compliance" (5.00) for every provision. Such data suggests that full compliance by two-year and four-year institutions with the selected provisions of the Rehabilitation Act of 1973 under consideration has nearly been realized. It is noted that the provisions with greatest and least compliance with the Act are identical; namely, "financial aid and employment assistance," and "no admissions limitations" for greatest compliance and "comparable nonacademic activities" and "comparable recruitment activities" for least compliance.

(INSERT TABLE 3)

To determine the comparative compliance between two-year and four-year institutions, a t test of independent samples was performed between the overall two-year mean scores for the selected provisions of the Rehabilitation Act of 1973 and that for four-year colleges and universities. As shown in Table 4, the t value (3.79) is considered significant at the

TABLE 2.--Results of t-test on the extent of compliance by two-year and four-year postsecondary institutions with the Architectural Barriers Act of 1968

Type of Institution	N	Mean	SD	t[a]
Two-Year	168	4.00	0.71	8.99*
Four-Year	263	3.31	0.89	

[a]Computed on nonmissing data.

*$p < .05$

TABLE 3.--Weighted mean distribution of perceptions of student services officers at 201 two-year and 279 four-year institutions on the extent of compliance with selected provisions of the Rehabilitation Act of 1973

Provision	Two-Year M[a]	Four-Year M[a]
Comparable recruitment activities	4.28	3.72
No admissions limitations	4.85	4.70
Bias free admissions tests or criteria	4.69	4.64
Participation in campus program or activity	4.76	4.49
Nondiscriminatory academic adjustment	4.56	4.51
Comparable housing	4.49	4.30
Financial aid and employment assistance	4.90	4.70
Comparable nonacademic activities	4.42	4.11
Overall Mean	4.64	4.38

[a]Mean is based on a response continuum of 1.00 = noncompliance, 2.00 = planned compliance, 3.00 = partial compliance, 4.00 = approaching full compliance, 5.00 = full compliance.

.05 alpha level. Therefore, according to the perceptions of the study sample of student services officers, there is a significant difference in compliance with the Rehabilitation Act of 1973 by two-year as compared with four-year institutions, with the former being in greater compliance.

(INSERT TABLE 4)

CONCLUSIONS AND IMPLICATIONS

The findings of this study would seem to warrant the following conclusions:

1. The extent to which the postsecondary institutions in the study sample were found to be complying with provisions of the Architectural Barriers Act of 1968 ranged from "non-compliance" to "full compliance." Considering that approximately seventeen years have passed since the enactment of the Act, institutional progress towards compliance with the selected provisions has been slow. However, in view of the institutional costs involved in modifying facilities to satisfy many of the provisions, postsecondary institutions, in the writers' judgment, are in reasonable compliance with them. The implication is that additional governmental and state action in the form of monetary assistance is needed.

2. Postsecondary institutional compliance with the eight selected provisions of the Rehabilitation Act of 1973 chosen for this study was determined to be within the range of "approaching full compliance" to "full compliance." Considering the length of time that has passed since the enactment

TABLE 4.--Results of t-test on the extent of compliance with the Rehabilitation Act of 1973, according to the type of institution

Institution	N	Mean	SD	t[a]
Two-Year	69	4.64	0.43	
				3.79*
Four-Year	264	4.38	0.73	

[a]Computed on nonmissing data.

*$p < .05$

of the Act, it would seem that reasonable progress towards full compliance has occurred. It is therefore concluded that colleges and universities would appear to be in reasonable compliance with the Rehabilitation Act of 1973. Governmental action beyond the normal prodding would not appear to be warranted. However, self-evaluative measures that plan for the modification and/or development of existing and/or new campus programs and services should be on-going at institutions so as to attain full compliance with the Act as soon as possible.

3. Compliance with the selected provisions of both the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 chosen for this study was greater at institutions characterized as having two-year classification as compared with institutions characterized as having four-year classification. It would then seem that the variable of institutional type (two-year versus four-year) is an important correlate to institutional compliance.

Overall, it would appear that the postsecondary institutions' full implementation of provisions found in both the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973 has been slow and incomplete. There is a lack of full compliance beyond the time lines established by the federal government; namely, August 21, 1968 (or after the effective date of a standard revision) and June 2, 1980, for the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973, respectively. Numerous factors could be attributed to the lack of compliance, including insufficient financial

support, apathetic approaches towards compliance by school officials, lack of competent personnel, and negative attitudes held by institutional personnel.

Regardless of the factors that work against institutional compliance with the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973, it is federally mandated that all colleges and universities receiving federal funds comply with these provisions. Failure to comply, that is, not fulfilling the mandates of these Acts, could result in costly litigation or court action against an institution as well as the loss or reduction of federal funds. The loss of federal funds could impact upon the educational opportunities a college/university affords not only disabled students but able-bodied students as well. Loss of such opportunities could have immeasurable detrimental effects upon the overall growth of society at large. Therefore, it is in the best interest of everyone that full institutional compliance with the Acts be addressed and achieved as soon as possible.

Bibliography

Arthur, J. K. (1967). Employment for the handicapped, a guide for the disabled, their families, and their counselors. New York: Abingdon Press.

Bailey, C. W. (1979). The federal 504 handicapped access regulations: A case study in government-higher education. Washington, DC: Sloan Commission on Government and Higher Education. (ERIC Document Reproduction Service No. ED 172 702)

Marion, P. B. & Iovacchini, E. V. (1983). Services for handicapped students in higher education: An analysis of national trends. Journal of College Student Personnel, 24, 131-138.

Penn, J. R., & Dudley, D. H. (1980). The handicapped student: Problems and perceptions. Journal of College Student Personnel, 21, 354-357.

Pirkle, L. M. (1981). A survey of the efforts of accredited private liberal arts colleges and universities in the southern region to accommodate physically handicapped students. Dissertation Abstracts International, 42, 572-A. (University Microfilms No. 81-16, 890).

Presidents' Committee on Employment of the Handicapped. (1977). Getting through college with a disability: A summary of services available on 500 campuses for students with handicapping conditions. Washington, DC: U.S. Government Printing Office.

Rosen, D., Brunner, S., & Fowler, S. (1973). Open admissions: The promise and the lie of open access to American higher education. Lincoln: University of Nebraska Printing and Duplicating Service.

Sprandel, H.Z., & Schmidt, M.R. (Eds.) (1980). Serving handicapped students. San Francisco: Jossey-Bass.

Stilwell, W.E., & Schulker, S. (1973). Facilities available to disabled higher education students. Journal of College Student Personnel, 14, 419-424.

Stilwell, D.N., Stilwell, W.E., & Perritt, L.C. (1983). Barriers in higher education for persons with handicaps: A follow-up. Journal of College Student Personnel, 24, 337-343.

U.S. (1964). Desegregation of public education, civil rights act of 1964, public law 88-352, July 2, 1964. In United States statutes at large (pp. 246-249).

U.S. (1965). Student assistance, the higher education act of 1965, public law 89-329, November 8, 1965. In United States statutes at large (pp. 1232-1254).

U.S. (1972). Prohibition of sex discrimination, education amendments act of 1972, public law 92-318, June 23, 1972. In United States statutes at large (pp. 373-374).

U.S. (1982, July 1). Part 104, subpart E, postsecondary education. The Federal Register, 345-348.

U.S. (1982, August 4). Part III, architectural and transportation on barriers compliance board. The Federal Register, 33862-33893.

U.S., Department of Health, Education, and Welfare. (1968). A summary of selected legislation relating to the handicapped, 1963-67. Washington, DC: U.S. Government Printing Office.

U.S., Department of Health, Education, and Welfare. (1975). A summary of selected legislation relating to the handicapped, 1974. Washington, DC: U.S. Government Printing Office.

Woodward, R. E. (1977). The handicapped mandate. American School and University, 50, 35-36, 38, 40.